

ASSIGNMENT OF OIL AND GAS LEASES

THIS ASSIGNMENT OF OIL AND GAS LEASE ("Assignment") is made this 26 day of January 2011, by and among JOSEPH K. MILLIKEN, SUCCESSOR TRUSTEE OF THE SAMUEL A. MILLIKEN TRUST DATED JUNE 18, 2004, party of the first part (hereinafter referred to as "Assignor"), and REBECCA L. RABER, PAMELA A. MILLIKEN and JOSEPH K. MILLIKEN, parties of the second part (collectively hereinafter referred to as "Assignees").

WITNESSETH:

WHEREAS, Maud V. Archer, et al., (the "Lessors"), and Manufacturers Light and Heat Co. (the "Lessee"), executed that certain Oil and Gas Lease dated 11th day of November, 1950, covering 100.20 acres, more or less, situate in Sand Hill District, Marshall County, West Virginia, described therein as Lease No. 24913-S, and recorded in the Office of the Clerk of the County Commission of Marshall County, West Virginia in Book 272, at Page 95 (as subsequently amended and modified, the "Lease");

WHEREAS, Maud V. Archer, a/k/a Maude V. Archer, died testate October 11, 1968, and by her Last Will and Testament of record in the aforesaid Clerk's office in Will Book 29, at Page 522, she authorized and directed her executor to convert her estate to cash and to make and execute deeds therefore;

WHEREAS, James Willis Kimmons, as Executor under the Last Will and Testament of Maude V. Archer, deceased, by deed dated the 17th day of June 1969 and recorded in the aforesaid Clerk's office in Deed Book 406, at Page 443, granted and conveyed to each of Maude Marie Milliken and Eliza Jane Inghram, an undivided one-half (1/2) interest in and to all of the undivided right, title and interest of said Maude V. Archer in and to certain real estate situate in Sand Hill District, Marshall County, West Virginia, expressly including all the right, title and interest of the said Maude V. Archer in and to the oil and gas within and underlying the tracts of real estate described therein, further expressly including her interest in the Manufacturers Light and Heat Company Lease No. 24913; and

WHEREAS, Maude Marie Milliken, a/k/a Marie A. Milliken, died testate a resident of Greene County, Pennsylvania on the 15th day of August, 1980, and by her Last Will and Testament of record in the aforesaid Clerk's office in Will Book 76, at Page 565, she devised and bequeathed the rest, residue and remainder of her property to her children, Kathleen M. Johnson and Samuel A. Milliken; and

WHEREAS, Kathleen J. Johnson, by Assignment of Oil and Gas dated the 14th day of December 1981 and recorded in the aforesaid Clerk's office in Book 495, at Page 69, sold, conveyed, assigned and transferred all of her interest of, in and to all of the oil and gas described in said Assignment of Oil and Gas, expressly including the interests described in the aforesaid Lease No. 24913, Well 4103, together with any proceeds derived therefrom, to Samuel A. Milliken; and

WHEREAS, Samuel A. Milliken, et al. and Columbia Gas Transmission Corporation executed that certain West Virginia Lease for Underground Gas Storage in Specific Strata dated the 21st day of July 1999, covering 110.20 acres, more or less, situate in Sand Hill District, Marshall

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County, West Virginia, and recorded in the aforesaid Clerk's office in Book 612, at Page 216, which by its terms expressly modifies the Lease; and

WHEREAS, Samuel A. Milliken died testate a resident of Franklin Township, Pennsylvania, on the 8th day of December 2008, and pursuant to the terms of his Last Will and Testament which is of record in the aforesaid Clerk's Office in Will Book 90, at Page 441, he gave all of his property to the Assignor herein, Joseph K. Milliken as successor trustee, to hold and distribute the same under the terms of that certain trust agreement of said Samuel A. Milliken dated the 18th day of June 2004 ("The Samuel A. Milliken Trust Dated June 18, 2004"); and

WHEREAS, at his death, the aforesaid Samuel A. Milliken died seized of an interest of, in and to the Lease, as amended and modified, as reflected in that certain Appraisal or Affidavit of Value recorded in the aforesaid Clerk's Office in Book 224, at Page 274, which interest is described therein as follows:

Sand Hill District (District 12)
MFRS Lease 24913 Well 4103
Map 9999
Parcel 0000 3070 1200; and

WHEREAS, a memorandum of trust regarding The Samuel A. Milliken Trust Dated June 18, 2004 is intended to be recorded in accordance with West Virginia Code § 36-1-4a, immediately prior to the recordation of this Assignment of Oil and Gas Leases; and

WHEREAS, Assignor desires to assign all of his right, title and interest of, in and to the Lease, as amended and modified, to Assignees under the terms and conditions of this Assignment.

NOW, THEREFORE, in consideration of the terms and conditions hereinafter set forth, and other good and valuable consideration, the receipt and sufficient of which are hereby acknowledged, and with the intent to be legally bound, the parties agree as follows:

1. **Assignment.** Assignor does hereby transfer, assign and convey to Assignees all of his right, title and interest in and to the Lease, as the same has been amended and modified from time to time.

2. **Warranty of Title.** This Assignment is made without any warranty of title whatsoever, either express or implied, except as to conveyances or encumbrances by, through or under the Assignor.

3. **Binding.** It is hereby agreed by the parties hereto that all of the covenants, conditions and agreements herein contained shall extend to and be binding upon the parties hereto, and their respective successors and assigns.

Signatures and Acknowledgments Follow Next Four (4) Pages.

IN WITNESS WHEREOF, the parties have hereunto executed this Assignment of Oil and Gas Lease the day and year first above written.

Signature and Acknowledgment of Assignor:

ASSIGNOR:

By: Joseph K. Milliken
Joseph K. Milliken, Successor Trustee of The
Samuel A. Milliken Trust Dated June 18, 2004

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

On this the 26th day of JANUARY, 2011, before me, the undersigned authority, personally appeared **Joseph K. Milliken**, who acknowledged himself to be the **Successor Trustee of The Samuel A. Milliken Trust Dated June 18, 2004**, and that he as such **Successor Trustee**, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires _____

ANDREA J. VENESKEY
Notary Public, State of Ohio
My Commission Expires June 9, 2014
(Recorded in Cuyahoga County)

Andrea J. Veneskey
Notary Public

[NOTARY SEAL]

Jan Pest
MARSHALL County 02:34:00 PM
Instrument No 1301800
Date Recorded 03/21/2011
Document Type O&G
Pages Recorded 6
Book-Page 727-37
Recording Fee \$6.00
Additional \$6.00

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Signature and Acknowledgment of Assignee(s):

ASSIGNEE:

Rebecca L. Raber

Rebecca L. Raber

STATE OF Pennsylvania)
COUNTY OF Greene) SS:

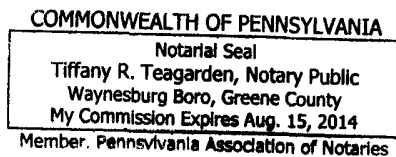
On this the 16 day of February, 2011, before me, the undersigned authority, personally appeared **Rebecca L. Raber**, who, being duly sworn according to law, deposes and says that she executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires 8/15/2014.

Tiffany R. Teagarden
Notary Public

[NOTARY SEAL]



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Signature and Acknowledgment of Assignee(s):

ASSIGNEE:

Pamela A. Milliken

Pamela A. Milliken

STATE OF PA)
COUNTY OF Lehigh) SS:

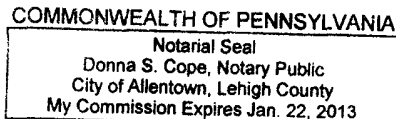
On this the 8th day of March, 2011, before me, the undersigned authority, personally appeared **Pamela A. Milliken**, who, being duly sworn according to law, deposes and says that she executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires Jan-22, 2013.

Donna S. Cope
Notary Public

[NOTARY SEAL]



Signature and Acknowledgment of Assignee(s):

ASSIGNEE:

Joseph K. Milliken

STATE OF

COUNTY OF

Cuyahoga

) SS:

On this the 26th day of JANUARY, 2011, before me, the undersigned authority, personally appeared **Joseph K. Milliken**, who, being duly sworn according to law, deposes and says that she executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires _____

ANDREA J. VENESKEY
Notary Public, State of Ohio
My Commission Expires June 9, 2014
(Recorded in Cuyahoga County)

Andrea J. Veneskey
Notary Public

[NOTARY SEAL]

This Assignment was prepared by W. Eric Gadd, Attorney at Law, of the Law Firm of Spilman Thomas & Battle, PLLC, 1217 Chapline Street, Wheeling, West Virginia 26003, without benefit of a title examination of the property described herein. Neither W. Eric Gadd nor the Law Firm of Spilman Thomas & Battle, PLLC, by the preparation of this Assignment, makes any representation or warranty with respect to the extent or quality of title to the property conveyed by this Assignment.

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 26th day of January, 2011, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 21st day of March, 2011 at 2:34 o'clock P.M.

TESTE: Jan Pest Clerk.